

November 23, 1999

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 10, 1999

Water right number: 33-00001B

JAMES O ANDREASON
ELIZABETH ANDREASON
PO BOX 3
HOWE ID 83244

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12-8-99 SIGNATURE: James O Anderson
Please print your name: James O Anderson

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

CLAIMANT: James Anderson

AGENT: _____

DATE: _____

Basin 33

ANALYSIS

284 Ac of water
361 Ac

TOTAL ACRES 361 (COMBINED)

IRRIGATION METHOD: FLOOD 3 SPRINKLER 3

DIV VOL = AC. X = AF

C.U. VOL = AC. X = AF

P.D. A. _____

B. _____

C. _____

RDS. W/ SAME P.D. _____

DIVERSION RATE ANALYSIS

DIV. RATE AT 1" PER ACRE = X 0.02 CFS =

DIV. RATE AT 1/2" PER ACRE = X 0.01 CFS =

DIV. RATE AT PER ACRE = X CFS =

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y () N ()

IF YES, ADDITIONAL WATER USE FORM INCLUDED? Y () N ()

REMARKS:

STANDARD CONDITIONS: RT.#1 -00097c

RT.#2 -00001B 00096B 00095B

RT.#3 07014 07056

RT.#4 _____

STANDARD REMARKS: E04 - 7.22 cfs (all rights)

E14 - 240 AC (00001B, 00096B, 00095B)

E14 - 361 AC (00001B, 00096B, 00095B, 07014, 07056)

#2

E04 7.22 cfs (all rights)
E14 361 AC (all rights)

#3

E04 7.22 cfs (all rights)
E11 365 AC (all rights)
E05 1067.5 AC (all rights)
E14 361 AC (all rights)
E05 674.5 AC

ANALYSIS #	AD NUMBER	REC. ACRES	RECOMMENDED PRIORITY	RECOMMENDED CFS	COM. CFS
1	00001B	240	4-1-1887	0.36	
2	00096B	240	5-25-1891	0.45	
3	00095B	240	6-1-1891	0.63	
4	00097C	361	4-15-1891	2.00	3.44
5	07014	361	5-10-1992	3.73	5.19
6	07056	361	6-7-2-97	1.46	
7			1.02	7.22 cfs	

Place of Use Overlap Attachment

Water Right	Twn.	Rge.	Sec.	NE			NW			SW			SE			Totals
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
33-000018.1	10N	26E	13													63
000968			24	11								38			30	11
000956	10N	27E	19					9	40	13	12					74
			20									10				42
			18									40				40
																290
33-000970	10N	27E	19					9	40	13	1					63
			20									10				47
			18									40				40
																150
33-070141	10N	26E	13												40	80
07056			24	29												25
		27E	18									40				60
			19					39	40	37	29					145
																314
																47
																301
Total Acres:																

Water Right Number: _____ Date: ____/____/____

Part B of 00001, 00095, 00096, 00097

RECEIVED

PREPARED BY
IDaho LAND & APPRAISAL SERVICE
BOX 1000, BOISE, IDAHO
PLEASE NOTIFY OF ANY DECISIONS
OR IF FURTHER INFORMATION IS NEEDED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

33.0097
33.0096
33.0095
33-0001
Identification No. 33-0001
Transfer No. 1571

APPROVED

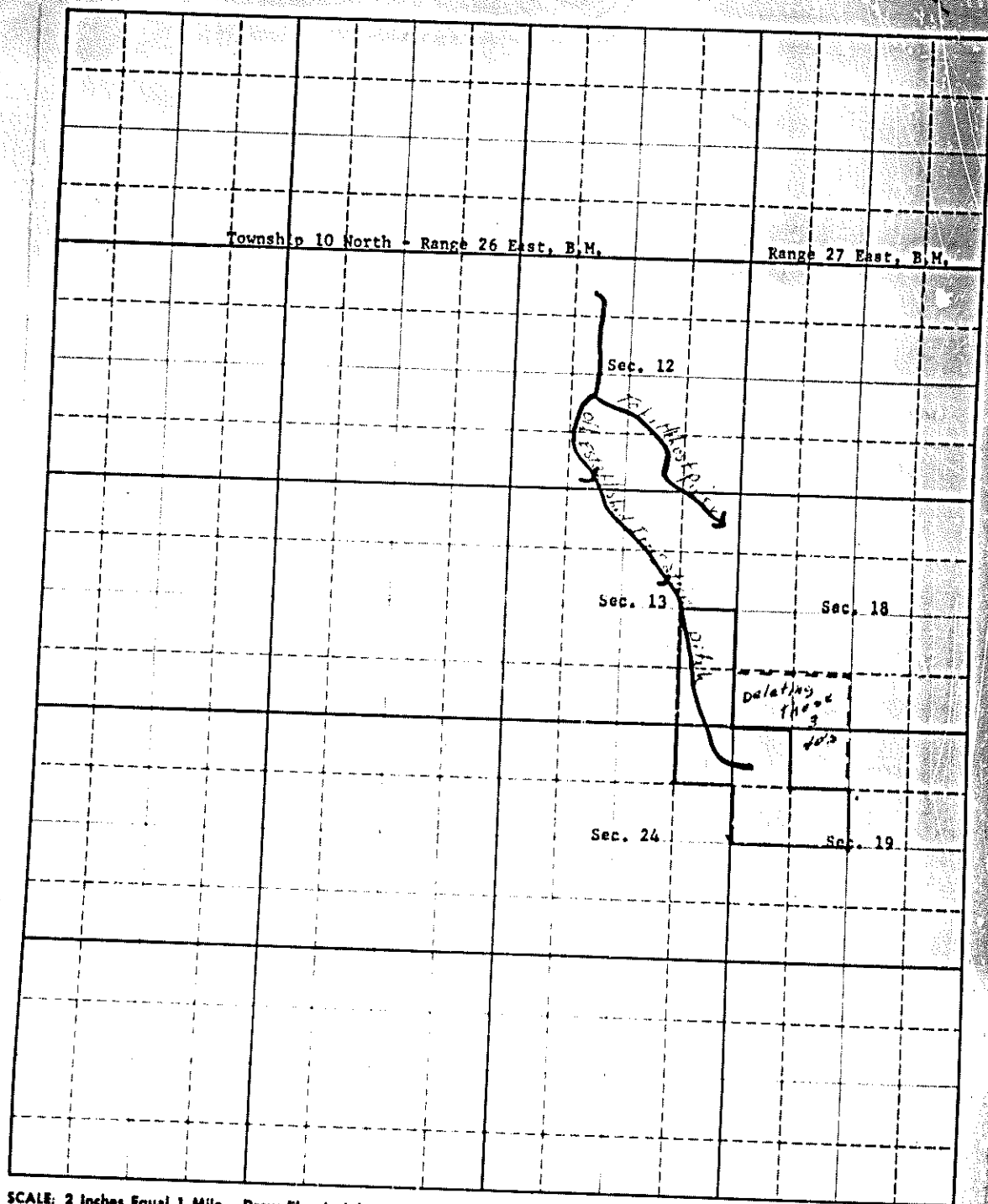
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder James Andreason
Post office address Howe, Idaho 83244
2. Right obtained by:
a. Decree to O. P. Williams in Case of Blaine County Investment Corporation
(Name) et al
vs Robert G. Mays / , Dated 3/4/27 in 6th Judicial District, Ralph W. Ardair,
Court County of Butte (Name of Court) Judge
See Transfer 899
b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Dry Creek tributary to Lost River
(Name of stream or source)
4. Date of Priority 4/15/91 97B Also appurtenant to the same lands:
35" Little Lost Creek - 6/1/91
20" Little Lost Creek - 4/1/87
Sawmill Creek - 5/21/91
5. Amount of water a. 160" or 3.2 c.f.s. and/or 25 96B
b. _____ acre feet/ann
6. Water is used for irrigation from March 1 to November 1
(Month, Day) (Month, Day)
7. Original location of point of diversion is NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12
Township 10 N, Range 26 E, B.M. in SW Butte County;
Additional points of diversion, if any _____

B. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10	27	18											40	40					80
		19					40	40	40	40									160

Total number of acres presently irrigated 240



9. If applicant was not the original holder of this right explain how it was acquired: _____
 By purchasing land _____

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: _____ c.f.s. and/or _____ acre feet
- b. New point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____, Township _____
 _____, Range _____, B.M. _____
- c. Description of method of diversion and conveyance from new points of diversion: _____

- d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____
 If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion: _____

- f. Do you intend to make the transfer permanent? _____
- g. Do you intend to abandon completely the old point of diversion? _____

- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
	26E	13													40			40	80
		24	40																40
10 N	27 E	19					X	40	40	40									120
		18												X X					

X - Ac Removed
 (REGISTRATION)

Total number of acres to be irrigated 240

b. Do you intend to make the transfer permanent? yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
yes

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: none

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

James Anderson
(signature of applicant)

Subscribed and sworn to before me this 20th day of August, 19 68

Edna H. Mayford
(notary public)

My commission expires October 16, 1970

ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER

APPROVED

This is to certify that I have examined Application for Transfer of Water Rights No. 1571
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

10% transportation loss to Little Lost River - balance 0.63 c.f.s.
6-1-91, 0.36 c.f.s. 4-1-87, 0.45 c.f.s. 5-21-91.

2. Denial of said application is for the following reasons: 91B

Witness my hand this 9 day of December, 1968

01B

L. Keith Higgins
State Reclamation Engineer

		A	B	ds
95	70"	35.7	35.7	-10% = .63
96	50"	25.3	25.3	-10% = .45
01	40"	20.4	20.4	-10% = .36
97	320"	160 ^{3.2}	160 ^{3.2}	-10% loss

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Rights
Transferred Right No. 899

THIS IS TO CERTIFY, That Cecil F. Scott and Charles Amy, of
Nowa, Idaho, are the owners of and using the following water rights,
to-wit:

00001 0.80 cubic foot per second of the waters of Little Lost River,
with priority of April 1, 1887;
00095 1.40 cubic foot per second of the waters of Little Lost River,
with priority of June 1, 1891;
00096 1.00 cubic foot per second of the waters of Saw Mill Creek,
with priority of May 25, 1891; and
00099 6.40 cubic foot per second of the waters of Dry Creek,
with priority of April 15, 1891.

said waters having been decreed to O. P. Williams, by Judge Ralph W.
Adair, of the District Court of the Sixth Judicial District of the State
of Idaho, in and for the County of Butte, in the case of

BLAINE COUNTY INVESTMENT COMPANY,

Plaintiff,

vs.

ROBERT O. MAYS, et al.,

Defendants,

said Decree bearing date of March 4, 1927, and being appurtenant to the
following described lands, to-wit:

S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 18;
NW $\frac{1}{4}$ Section 19;
E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29;
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32;
NW NW, S $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 33;
Township 10 North, Range 26 East, B.M.

That said decree has been entered in the records of the Depart-
ment of Reclamation of the State of Idaho in Volume 5 of Decrees, begin-
ning at page 86 thereof.

That said Cecil F. Scott and Charles Amy have become the
owners of said water rights through purchase.

And that now, upon the application of Cecil F. Scott and Charles Amy, of Howe, Idaho, for a transfer of the above described water rights, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of said waters upon the above described lands is hereby abandoned, and the lands to which these waters shall, by this certificate, become appurtenant for irrigation and domestic purposes, are described as follows, to-wit:

0.40 cubic foot per second from Little Lost River,
with priority of April 1, 1887;
0.70 cubic foot per second from Little Lost River,
with priority of June 1, 1891;
0.50 cubic foot per second from Saw Mill Creek,
with priority of May 25, 1891; and
3.20 cubic foot per second from Dry Creek,
with priority of April 15, 1891

to be used on the following described lands:

S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 10;
NW $\frac{1}{4}$ Section 19;
Township 10 North, Range 27 East, B.M.

0.40 cubic foot per second from Little Lost River,
with priority of April 1, 1887;
0.70 cubic foot per second from Little Lost River,
with priority of June 1, 1891;
0.50 cubic foot per second from Saw Mill Creek,
with priority of May 25, 1891; and
3.20 cubic foot per second from Dry Creek,
with priority of April 15, 1891.

to be used on the following described lands:

E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29;
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32;
NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 33;
Township 10 North, Range 27 East, B. M.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amounts, to-wit:

0.80 cubic foot per second from Little Lost River,
with priority of April 1, 1887;
1.40 cubic foot per second from Little Lost River,
with priority of June 1, 1891;
1.00 cubic foot per second from Saw Mill Creek,
with priority of May 25, 1891; and
6.40 cubic foot per second from Dry Creek,
with priority of April 15, 1891.

That the water rights hereby transferred have heretofore been conducted to the first above described lands with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12, Township 10 North, Range 26 East, B. M.

That the water rights hereby transferred will hereafter be conducted to the last above described lands, with no change in the point of diversion.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 15th day of October, 1957.

Mark R. Kulp
MARK R. KULP

State Reclamation Engineer

(SEAL)